

Aireborough Family Services (AFS) Constitution* and Terms of Reference



Core Purpose and Underpinning Legislation

This constitution provides a foundation for schools working collaboratively in the Aireborough cluster to provide supports and services with children and families focused on early help and engagement in lifelong learning to achieve positive outcomes.

In accordance with the Children's Act 2004 section 10:

"...agencies are required to cooperate with local authorities to promote the wellbeing of children in each local authority area"

This document is prepared under sections 19(3), 23 and 26 of the Education Act 2002 which allows for federation/collaborative working between schools and in line with the School Governance (Collaboration) (England) Regulations 2003 which came into force 1st September 2003.

In addition – this document is also prepared in order to promote the duty of Local Authorities to make arrangement for local partners, including the **governing bodies of maintained schools and others providing education and services in a given area to work together to safeguard and promote the welfare of children** under section 10 of the Children Act 2004.

Safeguarding and promoting the welfare of children is defined for the purposes of this document as:

- protecting children from maltreatment;
- preventing impairment of children's health or development;
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
- taking action to enable all children to have the best outcomes

"Working Together to Safeguard Children 2018" – p7

This document applies only to the joint committee overseeing the provision of Aireborough Family Services to achieve these outcomes – these are now primarily focused around targeted early help approaches. Early help is referenced and defined as follows:

"Providing early help is more effective in promoting the welfare of children than reacting later. Early help means providing support as soon as a problem emerges, at any point in a child's life, from the foundation years through to the teenage years."

"Working Together to Safeguard Children 2018" – p13

***This Constitution can be varied to fit local needs but care should be taken that any amendments do not contravene the School Governance (Collaboration) Regulations**

Basis for the Joint Collaborative Committee (JCC)

The Joint Collaborative Committee (JCC) shall act within delegated powers of the respective governing bodies who will formally approve, in writing, the establishment of JCC. The governing bodies shall determine the delegated powers to be those outlined in the terms of reference below and shall retain legal responsibility and corporate liability for all decisions taken on their behalf.

The governing bodies of the participating schools must, on an annual basis, review the constitution, membership and terms of reference of the Committee. However, recommendations from the Committee itself may be considered at any other time. The JCC will oversee financial arrangements for the Aireborough Family Services cluster partnership model.

Reports will be made available to the governing bodies of the participating schools as required.

Staff based in individual schools will continue under their existing contract of employment arrangements, even when carrying out functions and principles outlined in this document. Specifically employed staff will be either through an agreed budget holding school or commissioned organisation who will hold HR and other agreed responsibilities towards those staff on behalf of the JCC.

An annual business plan will be established outlining the funding sources and their deployment for the Aireborough Family Services provision. An annual Action Plan will also be produced to focus the work against the citywide and agreed local priorities. The JCC will have responsibility to agree both these documents before approved.

Funding arrangements

Under the dedicated schools grant arrangements in place since 1st April 2017; whereby each school receives directly their allocation the former Dedicated Schools Funding Grant.

The agreed annual financial commitment to be made by each participating school to sustain the cluster partnership of Aireborough Family Services will be agreed by the JCC and will be set out in separate service level agreement, and available to each participating school 4 months prior to the new arrangement and in advance of any future review of said agreement.

This enables each cluster based school the stated period of time, within the termination arrangements, upon which to decide on their participation in the future of the current collaborative cluster model.

Aireborough Family Services (AFS) Constitution

The name of the service overseen by the JCC will be: “Aireborough Family Services”

Overall Purpose of the Service

The overall purpose is to:

- **Improve outcomes with all children, young people and their families, with a focus on improving attendance, attainment, achievement and engagement in lifelong learning, health and wellbeing.**
- Act as the local expression of the **statutory duty to work in partnership and the duty to cooperate**, placed on local services to improve children and young people’s wellbeing (Section 10 of the Children’s Act 2004)
- Plan, commission, deliver and evaluate a cluster action plan (CAP) for the Aireborough locality
- Integrate the provision of schools, children centres and other statutory, non statutory and voluntary sector services to improve outcomes according to the Leeds Children’s and Young People’s Plan (LCYPP) 2018-2023 and against agreed local priorities as set out in the local Aireborough CAP
- Build capacity through commissioned and partnership arrangements to respond to existing and emerging needs and priorities identified through close monitoring and evaluation of available data.
- Support the sharing of good practice, and embed the expected practice behaviours endorsed by the LCYPP, namely:
 - listening and responding to the voice of children and young people
 - working restoratively – doing with, not for or to
 - outcomes based accountability – is anyone better off?
 - support and prioritise children and young people to have fun growing up
- Promote “Think Family, Work Family” protocols, early help and multi-agency working and be aligned to the Leeds Practice Model delivering restorative, relationship and plan based working with children and families and all key partners.
- Emphasise community cohesion and equality of opportunity for all through the promotion of British values*

* As set out in the DfE “Promoting fundamental British values as part of SMSC in schools” November 2014 Government White Paper – with the set of values shown in full on pp5-6 – summarised as: “Schools should promote the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs.”

1. General principles

These guidelines are prepared under Sections 19(3), 23 and 26 of the Education Act 2002 which allow for federation/ collaborative working between schools in line with the School Governance (Collaboration) (England) Regulations 2003.

Under collaboration arrangements the schools remain as separate schools with separate governing bodies which retain their individual powers. The JCC acts within the delegated powers agreed by the respective governing bodies, who must also formally approve, in writing, the establishment of the committee. The governing bodies shall determine the delegated powers of the committee

according to the terms of reference and shall retain legal responsibility and corporate liability for all decisions taken by the committee on their behalf, providing that such decisions are taken within the approved terms of reference.

The governing bodies of the participating schools must review the constitution, membership and terms of reference of the Aireborough Children's Service annually.

2. The Joint Collaborative Committee

The committee membership will consist of the head teacher or a named representative and one nominated governor from each of the participating schools.

The committee may also elect associate members, in line with the School Governance (Collaboration) (England) Regulations 2003 (section 6). In these Regulations "associate member" means a person who is appointed by a joint committee as a member of it, but who is not a member of a collaborating governing body.

Associate members currently includes representatives from:

- **Children Centres and Early Start partnerships with Health**
- **Area Inclusion Partnership (AIP)**
- **Children's Social Work Services (CSWS)**
- **Youth Service**
- **Elected Members (Councillors)**
- **Youth Offending Service**
- **Voluntary organisations**
- **LA Partner**

Other guests and potential associate members could include:

- Children and Young People Representatives
- Complex Needs Team i.e. Educational Psychologist/SPLT
- Adult Social Work Services – Mental Health, Drugs and Alcohol
- Health – School Nursing Team
- FE/ HE
- Leisure Service
- Libraries
- CAMHS
- Cluster Attendance Advisor
- Police and safety services organisations
- Church/Faith organisations
- Housing
- Business

The names of all current members are given in the appendix. There must be less than 28 associate members.

The voting rights of the associate members are determined by the collaborating governing bodies. The JCC may also determine that other persons may attend the meetings in order to present advice or evidence as requested.

5. Chair and vice chair (regulation 4)

The JCC will elect a chair and vice chair annually at the first meeting of the Autumn term. The Committee may remove its chair from office at any time.

6. Clerk to the committee (regulation 5)

The committee must appoint, on an annual basis, a clerk (who cannot be one of the head teachers) to:

- a) convene meetings of the committee in line with Regulation 8 of the School Governance (Collaboration) (England) Regulations 2003
- b) attend meetings of the committee and ensure that minutes of the proceedings are drawn up; and
- c) perform any other functions determined by the committee

In the absence of the clerk from a meeting, the committee may appoint any one of their number (except a head teacher) to act as clerk for the purposes of that meeting.

7. Proceedings of the committee (regulation 8)

The clerk must convene meetings of the joint committee and, when exercising this function, must comply with any direction given by the collaborating governing bodies or the chair of the joint committee.

At least seven clear days in advance of a meeting, the clerk must provide the following to each member of the committee and to the headteachers of the collaborating schools:

- (a) written notice of the meeting,
- (b) a copy of the agenda for the meeting, and
- (c) any reports or other papers to be considered at the meeting.

A shorter notice period may be given if the chair of the committee believes that matters need more urgent consideration.

The proceedings of the committee are not invalidated by any vacancy in the membership of the committee or any defect in the appointment of any member of the committee.

No vote on any matter may be taken at a meeting unless at least 50% of all members of the committee present (Governors, Head Teachers and Associate) are governing members (Governors and Head Teachers).

The committee has agreed the establishment of the following working groups;

- Cluster Allocations Targeted Group (CAT) providing Guidance and Support clusterwide.
- Fixed term working groups (decided according to need for example, funding formula review task and finish group) or Outcome Based Accountability (OBA) targeted groups

8. Quorum

The quorum will be at least 7 governing members from separate schools, providing that there are more governing members than associate members. Decisions made will be binding for **all** schools within the cluster.

Every proposal to be decided at a meeting of the committee must be determined by a majority of the votes of the members present and voting on the proposal.

Where there is an equal division of votes the person who is acting as chair for the purposes of the meeting has a second or casting vote.

9. Frequency and conduct of meetings

The JCC will meet at least three times a year.

A representative of each school is required to report back to their own governing body on the workings, meetings and decisions of the committee.

At meetings and events, members are expected to behave in a reasonable and courteous manner. The chair will have the right to exclude anyone from a meeting whose behaviour is considered to be offensive.

10. Restrictions on persons taking part in proceedings (regulation 9)

Members of the committee must complete an annual register of interest form to disclose their personal interest, withdraw from the meeting, and not vote on a matter, if:

- (a) there is a conflict between their personal interests and the interests of a collaborating governing body, or
- (b) there is reasonable doubt about their ability to act impartially in relation to a matter where a fair hearing is required, or
- (c) they have a pecuniary interest in a matter.

The committee may allow anyone who they think can give helpful evidence to attend any hearing conducted by them into any matter and to present their evidence.

A person who is acting as the clerk to a meeting of the committee is not required to withdraw from a meeting unless their appointment to office, their conditions of service or disciplinary action against them is the subject of consideration.

Where there is any dispute as to whether someone is required to withdraw from a meeting of the committee and not vote, it is for the other members of the committee present at the meeting to decide the question.

11. Minutes (regulation 10)

Draft minutes of the proceedings of a previous meeting of the committee must be drawn up by the clerk or by the person acting as the clerk for the purposes of the meeting; and must be signed (if the committee agrees the minutes) as an accurate record by the chair at the next meeting of the committee.

The committee must, as soon as reasonably practicable, make available for inspection by any interested person, a copy of the agenda and signed minutes for every committee meeting, and any report or other paper considered at the meeting. This does not include, however, any material relating to:

- (a) a named person who works, or who it is proposed should work, at a school or within the children's services provided;
- (b) a named person/pupil at, or candidate for admission to, a school;

(c) any other matter that, by reason of its nature, the committee is satisfied should remain confidential.

12. Termination of Arrangements

This arrangement applies only whilst the participating schools continue to work collaboratively under the terms of reference for the Joint Collaborative Committee.

With the allocation of funds coming directly into schools since 1st April 2017 any withdrawal from this point onwards will have implications for the future sustainability of the service.

Any school wishing to withdraw gives at least 4 months notice to allow for the necessary adjustments to be made to budget and service delivery the following financial year. This must be sent to the chair in writing.

Any new arrangement should be in place for the beginning of the financial year following the end of the notice period.

[e.g. Notice given by or before 30 November 2019. End of year's notice would allow for budget and service planning beginning 01 April 2020. Notice given after 30 November 2019 may require negotiation to allow sufficient minimum 3 month redundancy notices for any posts affected by said withdrawal notice]

Aireborough Family Services Terms of Reference

Services

- a. To establish, within the cluster, such targeted and commissioned service provision as is required to meet the stated purpose (section 1) and the identified needs of the community set out in the CAP.
- b. To agree a Business Plan which will take account of all locations, all sources of funding and milestones to be reached.
- c. To agree an Outcome Based Accountability (OBA) Cluster Action Plan (CAP) to services to improve outcomes according to the Leeds Children's and Young People's Plan (LCYPP) 2018-2023 and against agreed local priorities
This plan will therefore align with wider cross cutting strategic commitments.
- d. To monitor and evaluate of the effectiveness of the targeted and commissioned services against the Business and Action Plans
- e. To submit thrice yearly reports to the Joint Collaborative Committee and to the governing body of each school including accounts (this task to be completed by the Integrated/Targeted Services Leader and Financial and Business Leader)
- f. To receive reports and key indicator and impact data from Leeds City Council, OFSTED and other external bodies on the effectiveness of services provided and use these to inform future planning.
- g. To ensure that the services continue to be appropriate to the community by arranging having in place evaluation and feedback mechanisms with staff, parents, children, young people and their community.
- h. To enter into service level agreements or contracts with independent providers for the delivery of services within the community.

- i. To enter into license/hire agreements using a policy agreed by all collaborating governing bodies.
- j. To ensure that child protection arrangements are in place in respect of all targeted and commissioned service provision.
- k. To ensure that policies and procedures with respect to Health and Safety are implemented within the targeted and commissioned service providers.

Premises

- l. The committee must consult and receive the approval of any governing body where it is proposing facilities which may bring about the building of new facilities or changes or adaptations to existing premises.
- m. If a school building is to be used as a base for the delivery of services by a private company, the health and safety policy of both the school and the company or charitable trust must be exchanged to ensure emergency arrangements and security are shared.
- n. Where the committee proposes the letting of part of one of the school's premises, this must be with agreement of the relevant governing body and be in accordance with the governing body's and Leeds City Council lettings policies.
- o. The committee shall ensure that the delegated budget of the relevant school is reimbursed for any cost incurred through the letting of part of the school premises with respect to the services provided.

Financial Arrangements

- p. The committee shall receive, manage and administer on behalf of all partners those elements of funding identified to support the targeted commissioned services provided.
- q. The committee should ensure that an appropriate (in accordance with Council and Authority Guidelines) scheme of Financial Delegation and Financial Management is in place and operational for the management of the targeted and commissioned services..
- r. Guiseley School will be the lead organisation for Aireborough Family Services funding and the employment of staff directly.
- s. The committee shall ensure that an annual financial audit of Aireborough Family Services is undertaken by either the Council's Internal Audit Service or an external auditor and shall respond and implement any recommendations made.
- t. The committee shall ensure compliance with the Council's Standing Orders and Financial Regulations, in respect of all financial matters.
- u. The committee shall ensure the principles of Best Value are applied in respect of the purchase of goods and services to achieve the stated purposes.
- v. The committee shall establish an agreed charging and remissions policy in respect of the targeted and commissioned provision as appropriate.

Staffing and Services

- w. The employing school will be **Guiseley School** or will be determined by the joint collaborative committee upon establishment of each new post - the day to day management of such staff will be through the appropriate line management structure

- x. The staffing structure and line management arrangements will be clearly set out for the JCC and reviewed annually or more often according to urgent need
- y. All staff directly appointed to deliver the targeted services will receive safeguarding supervision in line with the agreed cluster policy.
- z. All appointments of staff must comply with the appropriate regulations in respect of the position. The designated employing school will need to hold the individual employment contract, and under employment law it is the contract holder school that would become liable.
- aa. Where governing bodies agree to collaborate on the appointment of support staff to be employed by the Cluster, they must send the specification for the post to Leeds City Council with its recommendation of the person to be appointed.
- bb. Contractors selected or facilitated for targeted and commissioned services should be part of an approved suppliers list. This may be part of the ABC protocol, Leeds City Council approved suppliers list, or Education Leeds Sports directory. Where no approved supplier list exists then the Integrated/Targeted Services Leader and the cluster must satisfy themselves that the person(s) used:
 - have adequate insurance
 - are carrying out appropriate activities in an appropriate manner,
 - have suitable and sufficient safety procedures and risk assessments, and
 - have up to date enhanced DBS checks and Independent Safeguarding Authority registration (from July 2010).
- cc. Where private / external organisations run activities a lettings agreement should be in place. As part of the application process organisations must provide copies / details of their H&S policy and/or procedures/risk assessments. The letting will not be approved and hire agreement will not be issued without this. The school setting is responsible for the maintenance and safety of any parts of the premises used or any equipment they provided and should ensure instructions on their safe use are provided, including fire safety and evacuation. The external provider would be responsible for how they run activities and use the premises / equipment and they should follow any instructions / guidance issued to them from the school.
- dd. Visits arranged by the cluster either on school or out of school e.g visits to museums, visits to the seaside etc, are considered of a similar nature to school run educational visits. Therefore, clusters and the activity coordinator must ensure they have followed the Evolve guidance and procedures. This will include obtaining parental permission, obtaining approval for the visits to go ahead from the cluster committee and carrying out suitable and sufficient risk assessments.

I have read and agreed the above Constitution and Terms of Reference - signed on behalf of the Collaborating Schools:

- | | | |
|---|-------------------|-------|
| a) Benton Park High School | _____ | _____ |
| | Chair's Signature | Date |
| b) Guiseley Primary School | _____ | _____ |
| | Chair's Signature | Date |
| c) Guiseley High School | _____ | _____ |
| | Chair's Signature | Date |
| d) Hawksworth (CofE) Primary School | _____ | _____ |
| | Chair's Signature | Date |
| e) Queensway Primary School | _____ | _____ |
| | Chair's Signature | Date |
| f) Rawdon Littlemoor Primary School | _____ | _____ |
| | Chair's Signature | Date |
| g) Rawdon St Peters (CofE) Primary School | _____ | _____ |
| | Chair's Signature | Date |
| h) Rufford Park Primary School | _____ | _____ |
| | Chair's Signature | Date |
| i) St Marys Menston Catholic High School | _____ | _____ |
| | Chair's Signature | Date |
| j) St Oswalds (CofE) Primary School | _____ | _____ |
| | Chair's Signature | Date |
| l) Saints Peter and Paul Catholic PS | _____ | _____ |
| | Chair's Signature | Date |
| m) Tranmere Park Primary School | _____ | _____ |
| | Chair's Signature | Date |
| n) Yeadon Westfield Infants School | _____ | _____ |
| | Chair's Signature | Date |
| m) Yeadon Westfield Junior School | _____ | _____ |
| | Chair's Signature | Date |

